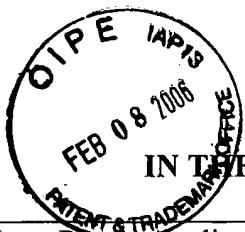


103 Rec'd PTO-PTO 8 FEB 2006



Docket No.: 3765-0115PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Marcello ALLEGRETTI et al.

Application No.: 10/537,824

Confirmation No.: 8576

Filed: June 8, 2005

Art Unit: N/A

For: CHIRAL ARYLKETONES IN THE  
TREATMENT OF NEUTROPHIL-  
DEPENDENT INFLAMMATORY DISEASES

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated December 21, 2005,  
Applicant respectfully submits:

Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).

Attached is the Executed Declaration and Power of Attorney  Original  Photocopy.

The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on June 8, 2005, including any amendments thereto (if applicable) filed on even date therewith.

2EB-3 300

**The undersigned hereby declares that "Attorney Docket No. 3765-0115PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No. 10/537,824 filed June 8, 2005 entitled "CHIRAL ARYLKETONES IN THE TREATMENT OF NEUTROPHIL-DEPENDENT INFLAMMATORY DISEASES."**

Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

Attached are sheet(s) of drawings. Please substitute these replacement drawings for the corresponding sheet(s) of drawings on file in the above-identified application.

Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

Attached is a preliminary amendment.

Applicant claims small entity status under 37 C.F.R. § 1.27.

Attached is a Supplemental Application Data Sheet (ADS).

**Submitted concurrently herewith under separate cover for recording is an Assignment.**

Attached is a Petition for Extension of Time.

**The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on June 8, 2005, even though the 371 Formalities Letter states \$350.00.**

Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 8 2006

Respectfully submitted,

By Mark J. Nuell  
Mark J. Nuell, Ph.D.  
Registration No.: 36,623  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
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Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Attachment(s)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

DPR

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,824	Marcello Allegretti	3765-0115PUS1
INTERNATIONAL APPLICATION NO.		
PCT/EP03/13946		
I.A. FILING DATE		PRIORITY DATE
12/09/2003		12/10/2002
<p>2292        BIRCH STEWART KOLASCH &amp; BIRCH        PO BOX 747        FALLS CHURCH, VA 22040-0747</p> <p><i>Kem JU</i>  <i>DOCKETED</i>  <i>Refect 31-06</i>  <i>2</i></p>		
CONFIRMATION NO. 8576		
371 FORMALITIES LETTER		
*OC000000017690734*		

Date Mailed: 12/21/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/08/2005
- Copy of the International Search Report filed on 06/08/2005
- Copy of IPE Report filed on 06/08/2005
- Preliminary Amendments filed on 06/08/2005
- Information Disclosure Statements filed on 06/08/2005
- U.S. Basic National Fees filed on 06/08/2005
- Priority Documents filed on 06/08/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$-360** for a Large Entity:

(A previous payment of **\$360** will be applied to the additional fees indicated above.)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

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Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,824	PCT/EP03/13946	3765-0115PUS1

FORM PCT/DO/EO/905 (371 Formalities Notice)

08 FEB 2005

10/537824

Docket No.: 3765-0115PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Marcello ALLEGRETTI et al.

Application No.: 10/537,824

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Art Unit: N/A

For: **CHIRAL ARYLKETONES IN THE  
TREATMENT OF NEUTROPHIL-  
DEPENDENT INFLAMMATORY DISEASES**

Examiner: Not Yet Assigned

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Acceptance mailed December 21, 2005 in connection with the above-identified application, enclosed herewith are copies of the documents that were cited in the International Search Report and listed on the Form PTO-SB08 filed with the Information Disclosure Statement on June 8, 2005.

The PTO is requested to make these documents of record in the file of the present application and to return the initialed Form PTO-1449 to the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 8, 2006

Respectfully submitted,

By Mark J. Nuell  
Mark J. Nuell, Ph.D.  
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Falls Church, Virginia 22040-0747  
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Attorney for Applicant

Attachments: Documents cited in Search Report (19)